

STATE OF MARYLAND

MARYLAND DEPARTMENT OF THE ENVIRONMENT

Shari T. Wilson, Secretary

BILL NO: HOUSE BILL 346

COMMITTEE: Environmental Matters

POSITION: Support with Amendments

TITLE: Bay Restoration Fund – Nitrogen–Removing Septic Systems

BILL ANALYSIS: This Legislation would permit costs incurred by local governments inspecting systems to be allowable costs under the Bay Restoration Fund (BRF) to ensure long-term nitrogen performance of those systems.

POSITION AND RATIONALE: MDE supports HB 346 with amendments. MDE is responsible for administering the BRF and for evaluating the nutrient removal capability of technologies funded under the BRF. MDE estimates that as many as 500 new systems per year may be installed. Assuming it costs local government \$200 per system inspection, funds are insufficient to regularly inspect and monitor all upgraded systems. A statistically significant number of installations of each technology can be sampled and monitored to determine the overall performance of the technology. (Note: the performance of nitrogen reducing technologies will not vary geographically or across county lines.) With this data, MDE can then determine what changes in the Program are necessary to ensure long-term performance and which technologies are better suited for long-term removal of nitrogen.

FOR MORE INFORMATION,
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BY: The Maryland Department of the Environment

AMENDMENTS TO HOUSE BILL 346
(First Reading File Bill)

AMENDMENT NO. 1

Expand the use of the BRF to reimbursement for the cost of inspecting and sampling.

Page 1, lines 3 through six should be changed to read:

FOR the purpose of authorizing the use of the Bay Restoration Fund for certain costs incurred ~~by local governments~~ in inspecting **AND SAMPLING** certain projects related to the performance of nitrogen-removing septic systems; and generally relating to the use of the Bay Restoration Fund.

AMENDMENT NO. 2

Ensure the reimbursement costs for inspecting and sampling are limited to two percent of the total funds collected for upgrading onsite sewage disposal systems.

Page 1, lines 17 through 22 and continued onto Page 2 prior to the wording beginning on line one, should be changed to read:

(ix) Subject to the allocation of funds and the conditions under subsection (h) of this section, for projects related to the removal of nitrogen from onsite sewage disposal systems and cover crop activities, **INCLUDING COSTS INCURRED BY LOCAL GOVERNMENTS IN INSPECTING AND SAMPLING THOSE PROJECTS TO ENSURE EVALUATE LONG-TERM PERFORMANCE OF NITROGEN-REMOVING SEPTIC SYSTEMS FUNDED UNDER THIS SECTION. THE AMOUNT OF MONEY SPENT ON INSPECTING AND SAMPLING OF SYSTEMS IS NOT TO EXCEED 2 PERCENT OF THE TOTAL FUNDS COLLECTED FOR UPGRADING ONSITE SEWAGE DISPOSAL SYSTEMS. THE DEPARTMENT MAY MAKE GRANTS TO LOCAL GOVERNMENTS OR OTHER STATE AGENCIES FOR THE PURPOSE OF INSPECTING AND SAMPLING NITROGEN REMOVING SEPTIC SYSTEMS FUNDED UNDER THIS SECTION.**